

Fill in this information to identify the case:

Debtor 1 Mark Robert Berry

Debtor 2 Jenny Marie Berry
(Spouse, if filing)

United States Bankruptcy Court for the: District of Minnesota

Case number 18-30813

Official Form 410S1

Notice of Mortgage Payment Change

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: U.S. Bank Trust National Association
as Trustee of Cabana Series III Trust

Court claim no. (if known): 2-1

Last 4 digits of any number you use to
identify the debtor's account:

4 9 2 9

Date of payment change:

Must be at least 21 days after date
of this notice 06/01/2019

New total payment:

Principal, interest, and escrow, if any \$ 1,121.59

Part 1: Escrow Account Payment Adjustment**1. Will there be a change in the debtor's escrow account payment?**

☐ No

☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: _____

Current escrow payment: \$ 334.61

New escrow payment: \$ 346.64

Part 2: Mortgage Payment Adjustment**2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate on the debtor's variable-rate account?**

☒ No

☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: _____

Current interest rate: _____%

New interest rate: _____%

Current principal and interest payment: \$ _____

New principal and interest payment: \$ _____

Part 3: Other Payment Change**3. Will there be a change in the debtor's mortgage payment for a reason not listed above?**

☒ No

☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: _____

Current mortgage payment: \$ _____

New mortgage payment: \$ _____

Debtor 1 Mark Robert Berry
First Name Middle Name Last Name

Case number (if known) 18-30813

Part 4: Sign Here

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box.

- ☐ I am the creditor.
☒ I am the creditor's authorized agent.

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

X/s/ D. Anthony Sottile
Signature

Date 05/07/2019

Print: D. Anthony Sottile
First Name Middle Name Last Name

Title Authorized Agent for Creditor

Company Sottile & Barile, LLC

Address 394 Wards Corner Road, Suite 180
Number Street
Loveland OH 45140
City State ZIP Code

Contact phone 513-444-4100

Email bankruptcy@sottileandbarile.com

SVB Servicing Corporation
 323 FIFTH STREET
 EUREKA, CA 95501
 For Inquiries: (800) 603-0836
 Main Office- NMLS ID #5985, Branch Office- NMLS ID #9785

Analysis Date: April 18, 2019

MARK R BERRY
 308 8TH AVE SE
 FOREST LAKE MN 55025

Loan: [REDACTED]

Property Address:
 308 8TH AVENUE SOUTHEAST
 FOREST LAKE, MN 55025

Annual Escrow Account Disclosure Statement Account History

This is a statement of actual activity in your escrow account from Oct 2018 to May 2019. Last year's anticipated activity (payments to and from your escrow account) is next to the actual activity.

Payment Information	Current:	Effective Jun 01, 2019:
Principal & Interest Pmt:	774.95	774.95
Escrow Payment:	334.61	346.64
Other Funds Payment:	0.00	0.00
Assistance Payment (-):	0.00	0.00
Reserve Acct Payment:	0.00	0.00
Total Payment:	\$1,109.56	\$1,121.59

Escrow Balance Calculation	
Due Date:	Apr 01, 2019
Escrow Balance:	(1,030.39)
Anticipated Pmts to Escrow:	669.22
Anticipated Pmts from Escrow (-):	0.00
Anticipated Escrow Balance:	(\$361.17)

Date	Payments to Escrow		Payments From Escrow		Description	Escrow Balance	
	Anticipated	Actual	Anticipated	Actual		Required	Actual
					Starting Balance	0.00	0.00
Oct 2018		320.27		*		0.00	320.27
Oct 2018				306.99	*	0.00	13.28
Nov 2018		320.27		*		0.00	333.55
Nov 2018		54.87		*	Escrow Only Payment	0.00	388.42
Nov 2018		320.27		*		0.00	708.69
Nov 2018				1,201.00	* County Tax	0.00	(492.31)
Dec 2018		38.22		*	Escrow Only Payment	0.00	(454.09)
Dec 2018		0.37		*	Int on Escrow Pmt	0.00	(453.72)
Jan 2019		27.51		*	Escrow Only Payment	0.00	(426.21)
Jan 2019		320.27		*		0.00	(105.94)
Jan 2019				1,593.73	* Homeowners Policy	0.00	(1,699.67)
Feb 2019		320.27		*		0.00	(1,379.40)
Feb 2019		27.50		*	Escrow Only Payment	0.00	(1,351.90)
Mar 2019		320.27		*		0.00	(1,031.63)
Mar 2019		(320.27)		*		0.00	(1,351.90)
Mar 2019		1,351.90		*	Escrow Only Payment	0.00	0.00
Apr 2019		334.61		*		0.00	334.61
Apr 2019				1,365.00	* County Tax	0.00	(1,030.39)
					Anticipated Transactions	0.00	(1,030.39)
Apr 2019		334.61					(695.78)
May 2019		334.61					(361.17)
	\$0.00	\$4,105.55	\$0.00	\$4,466.72			

An asterisk (*) indicates a difference from a previous estimate either in the date or the amount. If you want a further explanation, please call our toll-free number.

Last year, we anticipated that payments from your account would be made during this period equating \$0.00. Under Federal law, your lowest monthly balance should not have exceeded 1% of the anticipated payment from the account, unless your mortgage contract or State law specifies a lower amount. Your mortgage contract and State law are silent on this issue.

Main Office- NMLS ID #5985, Branch Office- NMLS ID #9785

Analysis Date: April 18, 2019

MARK R BERRY

Loan:

**Annual Escrow Account Disclosure Statement
Projections for Coming Year**

This is an estimate of activity in your escrow account during the coming year based on payments anticipated to be made to and from your account.

Date	Anticipated Payments		Description	Escrow Balance	
	To Escrow	From Escrow		Anticipated	Required
			Starting Balance	(361.17)	693.34
Jun 2019	346.64			(14.53)	1,039.98
Jul 2019	346.64			332.11	1,386.62
Aug 2019	346.64			678.75	1,733.26
Sep 2019	346.64			1,025.39	2,079.90
Oct 2019	346.64	1,201.00	County Tax	171.03	1,225.54
Nov 2019	346.64			517.67	1,572.18
Dec 2019	346.64			864.31	1,918.82
Jan 2020	346.64			1,210.95	2,265.46
Feb 2020	346.64	1,593.73	Homeowners Policy	(36.14)	1,018.37
Mar 2020	346.64			310.50	1,365.01
Apr 2020	346.64			657.14	1,711.65
May 2020	346.64	1,365.00	County Tax	(361.22)	693.29
	<u>\$4,159.68</u>	<u>\$4,159.73</u>			

(Please keep this statement for comparison with the actual activity in your account at the end of the escrow accounting computation year.)

Your escrow balance contains a cushion of \$693.29. A cushion is an additional amount of funds held in your escrow balance to prevent the balance from becoming overdrawn when an increase in the disbursement amount occurs. Under Federal law, your lowest monthly balance should not exceed \$693.29 or 1/6 of the anticipated payment from the account, unless your mortgage contract or State law specifies a lower amount. Your mortgage contract and State law are silent on this issue.

Your ending balance from the last month of the account history (escrow balance anticipated) is (\$361.17). Your starting balance (escrow balance required) according to this analysis should be \$693.34. This means you have a shortage of \$1,054.51. This shortage may be collected from you over a period of 12 months or more unless the shortage is less than 1 month's deposit, in which case we have the additional option of requesting payment within 30 days. We have decided to do nothing.

We anticipate the total of your coming year bills to be \$4,159.73. We divide that amount by the number of payments expected during the coming year to obtain your escrow payment.

New Escrow Payment Calculation

Document

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Unadjusted Escrow Payment	346.64
Surplus Amount:	0.00
Shortage Amount:	0.00
Rounding Adjustment Amount:	0.00
Escrow Payment:	\$346.64

NOTICE OF RIGHT TO CANCEL PRIVATE MORTGAGE INSURANCE: If you currently pay private mortgage insurance premiums, you may have the right to cancel the insurance. In most cases, you have the right to cancel private mortgage insurance if the principal balance of your loan is 80 percent or less of the current fair market appraised value of your home, and you have a good payment history on your loan. If you want to learn whether you are eligible to cancel this insurance, please contact us at 323 Fifth Street, Eureka, Ca 95501 or 800-603-0836.

*** Please note if you have autopay/EFT set up on your loan, it is your responsibility to make sure your payment amount is updated**

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA
ST PAUL DIVISION**

In Re: Case No. 18-30813

Mark Robert Berry Chapter 13
Jenny Marie Berry

Debtors. Judge William J Fisher

CERTIFICATE OF SERVICE

I certify that on May 7, 2019, a copy of the foregoing Notice of Mortgage Payment Change was filed electronically. Notice of this filing will be sent to the following party/parties through the Court's ECF System. Party/Parties may access this filing through the Court's system:

Andrew C. Walker, Debtors' Counsel
curtwalkerbky@gmail.com

Curtis K Walker, Debtors' Counsel
curtwalkerbky@gmail.com

Gregory A Burrell, Chapter 13 Trustee
cmecfjzkmn@ch13mn.com

Office of the United States Trustee
ustpreion12.mn.ecf@usdoj.gov

I further certify that on May 7, 2019, a copy of the foregoing Notice of Mortgage Payment Change was mailed by first-class U.S. Mail, postage prepaid and properly addressed to the following:

Mark Robert Berry, Debtor
308 8th Ave SE
Forest Lake, MN

Jenny Marie Berry, Debtor
308 8th Ave SE
Forest Lake, MN

Dated: May 7, 2019

/s/ D. Anthony Sottile

D. Anthony Sottile
Authorized Agent for Creditor
Sottile & Barile, LLC
394 Wards Corner Road, Suite 180
Loveland, OH 45140
Phone: 513.444.4100
Email: bankruptcy@sottileandbarile.com